

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental proceedings against Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur under rule 172 of A.P.(AP&LS)Market Rules, 1969 - Article of charges – Issued.

=====

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 695

Dated: 19-06-2009

ORDER:

It is proposed to hold an inquiry against the said Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur in accordance with the procedure laid down in Rule 172 of A.P.(AP&LS)Market Rules, 1969.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur is directed to submit within 15 days of the receipt of this orders, a written statement of his defence.

4. Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur is further informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur is further informed that if he does not submit his written statement of defence on or before the date specified in Para (3) above or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 172 of A.P.(AP&LS)Market Rules, 1969 or the orders/directions issued in pursuance of the said rules, the inquiry authority may hold the inquiry against him exparte and further action will be proceeded based on the material available.

6. The attention of Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur is aware of such representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Sivaramaiah, Ex-Selection Grade Secretary, A.M.C., Guntur
(Through: The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad)

Copy to:-
The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXUR-I

THE ARTICLE OF CHARGES AGAINST SRI M. SIVARAMAIAH, Ex-SELECTION GRADE SECRETARY, A.M.C., GUNTUR

--oOo--

- CHARGE-1:** “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has failed to adhere to the instructions issued by the Commissioner & Director of Agricultural Marketing for issue of Commission Agent licenses vide Circular No.S-I(4)140124/2005, dt.20-12-2005 and Circular No.S-I(4)140124/2005, dt.20-02-2006 and not guided properly and not brought the circular instructions to the notice of the Person-In-Charge / Collector, A.M.C., Guntur in issue of 8 Commission Agent Licenses in the year 2006-07 and 9 Commission Agent licenses during the year 2007-08. Thus, he failed to perform his duties as Secretary under Rule 31 (5) of Andhra Pradesh (Agril. Produce and Live Stock) Markets Act, 1966 and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”
- BASIS :** The Regional Deputy Director of Marketing, Guntur vide his Letter No.8/SMA/Vig/GNT/2006, dt.11-07-2007 has reported that Sri M. Sivaramaiah, Selection Grade Secretary, Agricultural Market Committee, Guntur has failed to adhere to the instructions issued by the Commissioner & Director of Agricultural Marketing for issue of Commission Agent licenses vide Circular No.S-I(4)140124/2005, dt.20-12-2005 and Circular No. S-I(4)140124/2005, dt.20-02-2006 and not guided properly and not brought the circular instructions to the notice of the Person-In-Charge / Collector, A.M.C., Guntur in issue of 8 Commission Agent Licenses in the year 2006-07 and 9 Commission Agent licenses during the year 2007-08. This clearly shows his gross negligence in performing his official duties.
- CHARGE-2 :** “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has not taken any action against 84 Commission Agents, who are not doing business and kept quite simply by giving a memo to the concerned staff. Thus this shows his gross negligence and dereliction in performing his legitimate duties and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”
- BASIS :** The Regional Deputy Director of Marketing, Guntur vide his Letter No.8/SMA/Vig/GNT/2006, dt.11-07-2007 has reported that Sri M. Sivaramaiah, Selection Grade Secretary, Agricultural Market Committee, Guntur has not taken any action against 84 Commission Agents, who are not doing business and kept quite simply by giving a memo to the concerned staff. This clearly shows his gross negligence in performing his official duties.
- CHARGE-3 :** “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has not taken any action against 20 Commission Agents, who are not doing business, even though plots were allotted to them and they violated sale agreement conditions. Thus this shows his gross negligence and dereliction in performing his legitimate duties and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”
- BASIS :** The Regional Deputy Director of Marketing, Guntur vide his Letter No.8/SMA/Vig/GNT/2006, dt.11-07-2007 has reported that though plots were allotted to 63 Commission Agents, out of which 20 Commission Agents are not doing business. Sri M. Sivaramaiah, Selection Grade Secretary, Agricultural Market Committee, Guntur has not taken any action against such Commission Agents, though they violated sale agreement conditions. This clearly shows his gross negligence in performing his official duties.

(PTO)

CHARGE-4 : “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has not produced records for the allotment of plots made in the year 1983, 1990, 1991 and 2001 and kept 105 shops vacant since a long time rendering the asset wasteful and a loss of service/revenue to the Committee. Thus this shows his gross negligence and dereliction in performing his legitimate duties and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”

BASIS : The Regional Deputy Director of Marketing, Guntur vide his Letter No.8/SMA/Vig/GNT/2006, dt.11-07-2007 has reported that Sri M. Sivaramaiah, Selection Grade Secretary, Agricultural Market Committee, Guntur has not produced records for the allotment of plots made in the year 1983, 1990, 1991 and 2001 and kept 105 shops vacant since a long time rendering the asset wasteful and a loss of service/revenue to the Committee. This clearly shows his gross negligence in performing his official duties.

CHARGE-5 : “That Sri M. Sivaramaiah, while working as Selection Grade Secretary, Agricultural Market Committee, Guntur has submitted a note to the Person-In-Charge, A.M.C., Guntur on 25-06-2007 and obtained orders for issue of licenses during 2007-08, but later vide letter dt.30-06-2007 addressed to the C&DOAM, Hyderabad seeking permission, which is highly irregular and misleading the higher authorities. Thus this shows his gross negligence and dereliction in performing his legitimate duties and thereby violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964”

BASIS : The Regional Deputy Director of Marketing, Guntur vide his Letter No.8/SMA/Vig/GNT/2006, dt.11-07-2007 has reported that Sri M. Sivaramaiah, Selection Grade Secretary, Agricultural Market Committee, Guntur has submitted a note to the Person-In-Charge, A.M.C., Guntur on 25-06-2007 and obtained orders for issue of licenses during 2007-08, but later vide letter dt.30-06-2007 addressed to the C&DOAM, Hyderabad (dispatched on 4-7-2007) seeking permission, which is highly irregular and misleading the higher authorities. This clearly shows his gross negligence in performing his official duties.

**PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXUR-II

**LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGES
FRAMED AGAINST SRI M. SIVARAMAIAH, Ex-SELECTION GRADE SECRETARY,
A.M.C., GUNTUR ARE PROPOSED TO BE SUSTAINED**

--oOo--

Report of Regional Deputy Director of Marketing & Vigilance & Enforcement Officer,
Guntur, Letter No.8/SMA/Vig/GNT/2006, dt.11-07-2007.

**PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-III

**LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST
SRI M. SIVARAMAIAH, SELECTION GRADE SECRETARY, A.M.C., GUNTUR
ARE PROPOSED TO BE SUSTAINED**

--Nil--

**PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER